

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 12, 1936.

The meeting was called to order at 11:15 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; absent, none.

The Minutes of the regular meeting of November 5 were read, and, upon motion of Councilman Gillis, were adopted, as read, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, on October 29, 1936, the City Council of the City of Austin assigned space to the Texas Public Service Company for a gas main in Niles Road from Hartford Road to Wethersfield Road, the centerline of which gas main was assigned 7½ feet north of and parallel to the south line of said Niles Road; and

WHEREAS, it has developed that such an assignment would be impractical from the standpoint of construction for the reason that various driveways would have to be broken out and replaced and that some asphalt topping now in place at the intersection of Niles Road and Wethersfield Road would have to be disturbed at this time; and

WHEREAS, it is deemed more advisable to place said gas main within the roadway area; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas main in and upon the following street:

(1) A gas main in NILES ROAD from Hartford Road to Wethersfield Road, the centerline of which gas main shall be 12½ feet south of and parallel to the north line of said Niles Road.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in HARRIS AVENUE, or East 34th Street, from Liberty Street east approximately one-half block to Liberty Street Alley, the centerline of which gas main shall be 13½ feet north of and parallel to the south line of said Harris Avenue, or East 34th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in HARRIS AVENUE, or East 34th Street, across the intersection of Harris Park Avenue, the centerline of which gas main shall be 13 feet north of and parallel to the south line of said Harris Avenue, or East 34th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(3) A gas main in HARRIS AVENUE, or East 34th Street, across the intersection of Hampton Road, the centerline of which gas main shall be 13 feet north of and parallel to the south line of said Harris Avenue, or East 34th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(4) A gas main in LIBERTY STREET ALLEY from Harris Avenue, or East 34th Street, south 24 feet, the centerline of which gas main shall be 5 feet west of and parallel to the east line of said Liberty Street Alley.

Said gas main described above shall have a cover of not less than 2½ feet.

(5) A gas main in WOODROW AVENUE across the intersection of Harris Avenue, or East 34th Street, the centerline of which gas main shall be 9 feet west of and parallel to the east line of said Woodrow Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

(6) A gas main in BURLESON ROAD from East Side Drive to Alta Vista Avenue, the centerline of which gas main shall be 16 feet north of and parallel to the centerline of said Burleson Road.

Said gas main described above shall have a cover of not less than 2½ feet.

(7) A gas main in ALTA VISTA AVENUE from Burleson Road north approximately two blocks to a point 115 feet north of the north line of Algarita Avenue, the centerline of which gas main shall be 20 feet west of and parallel to the east line of said Alta Vista Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

(8) A gas main in FREDERICKSBURG ROAD south 1711 feet from a point 100 feet south of the south line of Barton Springs Road, the centerline of which gas main shall be 28 feet west of and parallel to the centerline of said Fredericksburg Road.

Said gas main described above shall have a cover of not less than 2½ feet.

(9) A gas main in CONCHO STREET from East 11th Street south 100 feet, the centerline of which gas main shall be 6½ feet east of and parallel to the west line of said Concho Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(10) A gas main in EAST ELEVENTH STREET from Concho Street west 100 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 11th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(11) A gas main in SALINA STREET from Rosewood Avenue south 350 feet, the centerline of which gas main shall be 6½ feet west of and parallel to the east line of said Salina Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(12) A gas main in ROSEWOOD AVENUE from Salina Street east 29 feet, the centerline of which gas main shall be 17 feet south of and parallel to the centerline of said Rosewood Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

(13) A gas main in EAST TWENTY-NINTH STREET west 93 feet from a point 159 feet west of the west line of Duval Street, the centerline of which gas main shall be

two feet north of and parallel to the south line of said East 29th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(14) A gas main in WASHINGTON AVENUE from Chicon Street west 152 feet, the centerline of which gas main shall be 23 feet south of and parallel to the north line of said Washington Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

(15) A gas main in WASHINGTON AVENUE from Chicon Street east 174 feet, the centerline of which gas main shall be 12 feet south of and parallel to the north line of said Washington Avenue.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford introduced the following resolution:

WHEREAS, A. W. Thielepape is the Contractor for the construction of a building located at 800-02-04 East 1st Street and desires a portion of the sidewalk and street space abutting Lots 1 and 2, Block 1, Outlot 17, Division "O", of the City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses herein above enumerated be granted to said A. W. Thielepape, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described Lot 2; thence in a westerly direction and at right angles to the centerline of East Avenue; thence in a southerly direction and parallel with the centerline of East Avenue a distance of 98.33 feet to a point on the north line produced of East 1st Street; thence in a southeasterly direction and at an approximate 45° angle to the centerline of East 1st Street to a point 7 feet south of the north curb line of East 1st Street; thence in an easterly direction and parallel with the centerline of East 1st Street a distance of 70 feet; thence in a northerly direction and at right angles to the centerline of East 1st Street to the north line of East 1st Street; thence in a westerly direction along the north line of East 1st Street to the southwest corner of the above described Lot 1; thence in a northerly direction along the east line of East Avenue to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said A. W. Thielepape, hereinafter termed "Contractor," upon the following express

terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space in East Avenue and East 1st Street, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored, and such walkway to have appropriate entrances at the intersection of East Avenue and East 1st Street.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than December 9, 1936.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, J. S. Murphy and Company is the Contractor for the construction of a building located at 408 San Jacinto Boulevard and desires a portion of the sidewalk space abutting Lots 5 and 6, Block 3, of Moore Subdivision, Division "D", of the City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. S. Murphy and Company, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southwest corner of an existing store building on the above described property, said point of beginning being on the north line of San Jacinto Boulevard; thence in a westerly direction along the north line of San Jacinto Boulevard for a distance of 55 feet; thence in a southerly direction and at right angles to the centerline of San Jacinto Boulevard for a distance of 15 feet; thence in an easterly direction and parallel to the centerline of San Jacinto Boulevard a distance of 55 feet; thence in a northerly direction and at right angles to the centerline of San Jacinto Boulevard to the place of beginning.

2. THAT the above privileges and allotment of space are granted to said J. S. Murphy and Company, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line along the south line of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades, or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than February 27, 1937.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford moved that a temporary license, for a period of thirty days, be granted to Elgin Beard, 800 West Gibson Street, to operate as a taxicab a 4-door Graham-Paige Sedan, 1930 Model, Engine No. 900783, State Highway License No. 995-262. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis,

Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford moved that a temporary license, for a period of thirty days, be granted to F. R. Arnham, 808 West 11th Street, to operate as a taxicab a Chevrolet Sedan, 1936 Model, Engine No. M6107801, State Highway License No. 984-524. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford moved that a temporary license, for a period of thirty days, be granted to Sid Kelso, 1811 Eva Street, to operate as a taxicab a Plymouth Sedan, 1936 Model, Engine No. P2293684, State Highway License No. 997-572. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: John Trolinger, 1000 San Antonio Street; Woodrow Harrison, 707 Red River Street; James Lewis Sites, 1303 Newning Avenue; Ramsey Lawson, 1306 West Avenue; Milton William Cloer, Route 5, Box 301; and Howard Price Hunt, 715 West Annie Street. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, Joe Miller, owner of Lots 5 and 6, Block 4, of Harrington Subdivision in Outlot 17, Division "O" of the Government Outlots of the City of Austin, which property abuts the north side of East 1st Street west of San Marcos Street, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the north side of said East 1st Street at the above described location, thereby relieving traffic conditions at this location by creating a greater width of travelway on East 1st Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and said plan has been considered and approved by the City Council of the City of Austin; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission is hereby granted Joe Miller, owner of Lots 5 and 6, Block 4, of Harrington Subdivision in Outlot 17, Division "O", of the Government Outlots of the City of Austin, which property abuts the north side of East 1st Street west of San Marcos Street, to set the curb back from the established curb line on the north side of said East 1st Street at the above described location.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereby attached marked 2-C-644 and made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on East 1st Street shall be carried out in accordance with the accompanying plan marked 2-C-644 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-644.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at their expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, Mrs. Mae Crockett, owner of property abutting San Jacinto Boulevard on the north side of the same at or near the intersection of East 29th Street within the City of Austin, Travis County, Texas, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the north or northeast side of San Jacinto Boulevard at a location east of East 29th Street, thereby relieving traffic conditions by creating a greater width of travelway on San Jacinto Boulevard; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and said plan has been considered and approved by the City Council of the City of Austin; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission is hereby granted Mrs. Mae Crockett, owner of property abutting San Jacinto Boulevard on the north side of the same at or near the intersection of East 29th Street within the City of Austin, Travis County, Texas, to set the curb back from the established curb line on the north or northeast side of San Jacinto Boulevard at a location east of East 29th Street.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereby attached marked 2-H-528 and made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on San Jacinto Boulevard shall be carried out in accordance with the accompanying plan marked 2-H-528, and that all such widened areas, driveways, or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-H-528.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at her expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following report of the Zoning Board of Adjustment was received and filed:

" October 29, 1936

Hon. Mayor and City Council  
Austin, Texas

Gentlemen:

The Board of Adjustment at a meeting held on October 26, 1936, passed the following resolution, which is hereby submitted for your consideration:

**R E S O L U T I O N .**

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance, of the City of Austin, has referred to the Board of Adjustment for its consideration, a petition of Mrs. Jose A. Guerrero for a change in the "Use" District of her property at the corner of 8th Street and East Avenue, being part of Lot No. 4, Block No. 91, of the Original City of Austin, from "A" Residence District to "C" Commercial District; and

WHEREAS, the Board of Adjustment at a meeting held on October 26, 1936, carefully considered the changing of the "Use" District of this property, and has viewed the premises and carefully studied the conditions and developments surrounding same and considered the change from all points of view from sound zoning principals, therefore,

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT the change of this undeveloped piece of property limited to the strips stated above be not recommended, but that in lieu thereof it is recommended to the City Council to change the entire block in which this property is located between 8th and 9th Streets and Sabine and East Avenue from "A" Residence District to "C" Commercial District for the following reasons:

1. That this property is not best suited for residential purposes.

2. That this property is better adapted for commercial purposes in view of the fact that the City Market has been constructed to the south thereof; that the property to the west thereof has recently been changed to "C" Commercial District; that the present development on this block is not desirable for residential purposes; that there are now located thereon three commercial non-conforming uses; that the proper commercial development of this property will be a distinct improvement of existing conditions in eliminating some very undesirable housing conditions in the form of apartments in the hay loft of a barn and other shacks where no sanitary facilities are available.

3. That to zone the limited parcel of property requested by the petitioner would be undesirable "spot zoning" and that if any change is made it should include the entire block.

Respectfully submitted,

BOARD OF ADJUSTMENT  
By H. F. Kuehne, Chairman. "

By general consent, the Council approved the transfer of Taxicab Permit No. 33, issued on Chevrolet Sedan, Model 1934, Engine No. 4,211,120, State Highway License No. 22-972, from Bernard Warren to Travis LaRue.

Upon motion, duly seconded and carried, the meeting was recessed at 11:45 A. M., subject to call of the Mayor.

Approved: Tom Miller  
Mayor

Attest:

Hallie McMiller  
City Clerk